UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,947	04/13/2004	C. Brendan S. Traw	42P18508	5449

59796 7590 08/21/2007

INTEL CORPORATION
c/o INTELLEVATE, LLC
P.O. BOX 52050
MINNEAPOLIS, MN 55402

EXAMINER	
JUNG, DAVID YIUK	

ART UNIT	PAPER NUMBER
2134	

MAIL DATE	DELIVERY MODE
08/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/823,947	TRAW ET AL.	
	Examiner	Art Unit	
	David Y. Jung	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) 1-25 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) 1-25 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-25 are presented.

ART NOT YET USED IN REJECTION

Technical challenges of protecting digital entertainment content Brendan, C.; Traw, S.; Computer Volume 36, Issue 7, July 2003 Page(s):72 – 78.

The author of this article is Dr. Traw -- same name as the inventor of this patent application.

http://www.intel.com/pressroom/kits/bios/traw.htm

This reference lists Dr. Traw (now CTO of Digital Home Group) as the former team leader for DTCP (Digital Transmission Content Protection). The Intel site also provides a video of Dr. Traw (PhD, CIS, University of Pennsylvania) at Intel Developer Forum in 2007 at China.

CLAIM REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ietf (http://tools.ietf.org/html/draft-ietf-dnsext-tkey-renewal-mode-01).

Claims 1, 14, 21 are the independent claims. The other claims are dependent claims.

Regarding claim 1, Ietf teaches "A system for proactive forced renewal of content protection implementations in devices comprising: a key generation facility to generate and allocate keys for the devices, and to generate revocation data corresponding to revoked keys, the revoked keys being revoked in response to at least one of [ ] and on a periodic basis independent of a security compromise (section 2.1 Key Usage Time Check in which revocation is done in accordance with revocation times); and
a device manufacturer to receive the keys from the key generation facility, to embed the keys in content protection implementations for the devices, to distribute the devices, and to renew the content protection implementations in devices after the devices are distributed, the renewal occurring in response to at least one of [ ] and on a periodic basis independent of a security compromise (such key renewal is taught at Section 2.3 Renewal request; because this renewal can be done in accordance with the usage time check of section 2.1 after a PartialRevoke Error has been sent out in accordance with section 2.1 Key Usage Time Check)."

These passages of Ietf are not teach "a security compromise" in the situation of the claim.

Nevertheless, it was well known in the art to have such a revocation upon "a security compromise" for the motivation of security. One such possible application

would be likely upon the situation of Section 2.3 Renewal Request when PartialRevoke Error has been sent. A security compromise may occur if client tries to use the system without further authentication.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify the teachings of Ietf for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 14, Ietf teaches "A method comprising:
receiving keys from a key generation facility; embedding the keys in a content protection implementation for a plurality of devices; distributing the devices; and
renewing the content protection implementations in the devices after the devices are distributed, the renewal occurring in response to at least one of a security compromise and on a periodic basis independent of [ ] (such key renewal is taught at Section 2.3 Renewal request; because this renewal can be done in accordance with the usage time check of section 2.1 after a PartialRevoke Error has been sent out in accordance with section 2.1 Key Usage Time Check)."

These passages of Ietf are not teach "a security compromise" in the situation of the claim.

Nevertheless, it was well known in the art to have such a revocation upon "a security compromise" for the motivation of security. One such possible application would be likely upon the situation of Section 2.3 Renewal Request when PartialRevoke Error has been sent. A security compromise may occur if client tries to use the system without further authentication.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify the teachings of ietf for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 21, ietf teaches "An article comprising: a storage medium having a plurality of machine readable instructions, wherein when the instructions are executed by a processor, the instructions provide for receiving keys from a key generation facility, embedding the keys in content protection implementations for a plurality of devices, distributing the devices, and renewing the content protection implementations in the devices after the devices are distributed, the renewal occurring in response to at least one of a security compromise and on a periodic basis independent of [ ] (such key renewal is taught at Section 2.3 Renewal request; because this renewal can be done in accordance with the usage time check of section 2.1 after a PartialRevoke Error has been sent out in accordance with section 2.1 Key Usage Time Check)."

These passages of ietf are not teach "a security compromise" in the situation of the claim.

Nevertheless, it was well known in the art to have such a revocation upon "a security compromise" for the motivation of security. One such possible application would be likely upon the situation of Section 2.3 Renewal Request when PartialRevoke Error has been sent. A security compromise may occur if client tries to use the system without further authentication.

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify the teachings of letf for the motivation noted in the previous paragraphs so as to teach the claimed invention.

The other claims are dependent claims.

Claims 2-3: such communication are well known for the motivation of consistency of data.

Claims 4, 16, 23: See sections 2.1 to 2.3. The renewal occurs in response to revocation, hence performed at same frequency.

Claims 5-7, 17, 24: such revocation handlings are standard in the art for the motivation of flexibility and efficiency.

Claims 8-12, 15, 18, 20, 22, 25: such hardware applications are well known for the motivation of actuating the security feature.

Claims 13, 19: such software player applications are well known for the motivation of providing convenience to the user (no physical part).

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

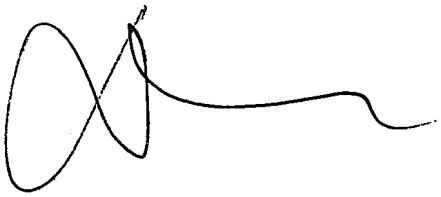
(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

Patent Examiner

8/17/07